
**Z-2595
DANIEL BELL
NB TO GB**

**STAFF REPORT
December 11, 2014**

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of the property owner Michael Zeman, and represented by attorney Daniel Teder, is requesting the rezoning of Lot 2 in the GTE Subdivision from NB to GB. The commercial building onsite is currently vacant; the proposed use is motorcycle sales. The site was originally built for a furniture store in 2000. The lot, about 1.7 acres, is located on the east side of Creasy Lane south of McCarty and immediately across from Kepner Drive. The property is commonly known as 1165 South Creasy Lane, Lafayette, Fairfield 35 (NE) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site was originally rezoned from R1 to NB in December 1999 (Z-1905). R1 zoning is adjacent to the north, a leftover remnant of the original zoning pattern in this area. Property farther to the north and east was rezoned to R3 in 1972 (Z-528), and the land across Creasy was rezoned to Industrial (later I3) in 1973 (Z-608). The pattern of GB, NB, and R3 zoning which exists south and southeast of the site dates back to 1995 (Z-1605 to 1607).

The Area Board of Zoning Appeals granted two variances to this property in 2000 (BZA-1533). The first variance allowed 48 parking spaces instead of the required 70 spaces for a furniture store and the second variance allowed a northern side setback of 24' instead of the required 30'. A condition was imposed by the Board for the parking variance that indicated it only applied to a furniture store and the footprint illustrated on the site plan. In order for petitioner to open a motorcycle sales operation, another parking variance will be necessary from the Lafayette Division of the ABZA.

AREA LAND USE PATTERNS:

The site has a vacant 28,000 square foot commercial building and a motorcycle shop is proposed. Burberry Apartments are adjacent to the east and northeast. The lot directly north (Lot 1 of GTE SD) is home to a small telecommunications building. South of this site is a commercial building housing such uses as a real estate office, a medical supplies retailer and a pizza restaurant. Other medical related uses associated with Unity Healthcare are farther south. Across Creasy to the west are industrial uses.

TRAFFIC AND TRANSPORTATION:

The site is located along Creasy Lane which is classified as an urban primary arterial; traffic counts taken in 2004 indicate that over 18,000 vehicles pass this site daily.

Access to the site is from a shared driveway on the northern lot line. Additionally, this lot has an internal driveway connection with the commercial lot due south, which in turn has its access from Amelia Drive.

Parking requirements for motorcycle sales is one space per 400 square feet of gross floor area, requiring 70 spaces. As previously mentioned, petitioner will need to seek a variance from the Lafayette Division of the Area Board of Zoning Appeals to permit the existing 48 spaces.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City utilities serve the site.

Type C bufferyards are required where GB zoning abuts R1 zoning to the north and R3 zoning to the east. It does not appear that the required Type C bufferyard was installed when the lot was rezoned and developed in 2000. If petitioner chooses, relief from this requirement could be an additional variance for the ABZA, Lafayette Division to decide.

STAFF COMMENTS:

Given the high traffic counts on Creasy Lane and proximity to other commercial and medical related uses, staff feels that GB zoning for this site is appropriate. When the request for NB zoning was made in 2000, staff was supportive because NB is a less intense commercial zone and it was felt that it would better protect the adjacent apartments to the east. However, this area along the Creasy corridor has developed with a more intense mix of commercial uses and the anticipated neighborhood shopping node once envisioned never materialized.

The commercial building on this lot has existed for over 14 years without any known incident and is more than 100' from the nearest apartment building to the east. Additionally, a row of trees and a drainage ditch help to separate these two land uses. Petitioner's proposal for a motorcycle dealership will likely not involve any outdoor storage or operation so there should be minimal disruption to the residences east of the site.

STAFF RECOMMENDATION:

Approval